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## ABSTRACT

This testimony by the Executive Director of the National Black Child Development Institute on the implementation of The Adoption Opportunities Act of 1978 discusses the implications of the act for black children and the need for minority input in the implementation process. It is argued that the success of programs in the act relevant to black children may hinge upon the degree of awareness and understanding of the unique problems facing black foster children. Criticisms are made against the Administration for Children, Youth and Families for their failure to actively seek black participation in advisory or administrative capacities. (SS)

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My name is Evelyn K. Moore and I am the Executive Director of the National Black Child Development Institute, Inc. I am pleased to testify today on the implementation of Title II of Public Law 95-266, the Adoption Opportunities Act of 1978, by the Department of Health, Education and Welfare.

The National Black Child Development Institute is a national membership organization dedicated to promoting the healthy development of all Black children. Throughout our ten year history, we have actively worked to find solutions for the numerous barriers that needlessly keep more than 200,000 Black children in foster care. The problems facing Black foster children are especially acute and urgent. Over 40% of the approximately 150,000 children estimated to be eligible for adoption are Black and countless other Black children await terminations, relinquishments, and other exhaustive steps that must precede any consideration of adoption. That Blacks account for less than 20% of all placements into adoptive homes each year only underscores the critical need for constructive reforms.

The Adoption Opportunities Act is therefore a vital measure sorely needed and long overdue. All of its programs, ranging from foster care reporting systems to parent recruitment programs, social worker training curricula and adoption resource exchanges, hold great potential for assisting hard-to-place children. Nevertheless, while we remain quite hopeful that the Program will offer meaningful progress, we are deeply concerned that the Children's Bureau neither found any Black organization capable of conducting a program authorized by the Act, nor did it require adequate safeguards to ensure minority input.

Child welfare has always been an issue of particular importance to Blacks. As Robert Hill documented in his Informal Adoption Among Black Families, Blacks have traditionally maintained an informal adoption network that has

remained independent of predominantly white child welfare agencies and institutions. Within the last decade, Blacks have become increasingly concerned with the lack of Black representation in the formal adoption process and have initiated a variety of programs as a result. From 1971 to 1977, for instance, our Adoption Project analyzed child welfare programs in ten major cities across the country and then organized volunteer groups in each location to make social service agencies more responsive to Black needs. In 1975, NBCDI led a delegation to Vietnam to examine the plight of Vietnamese orphans fathered by Black Americans and in 1977, the Institute published Adoption Guidelines to assist agencies seeking to recruit Black families and serve hard-to-place children. By demonstrating that the quality of an adoptive family depends on its capacity to love, not its income, housing, or marital status, other Black agencies and organizations have developed the expertise necessary to locate successful homes for these children. Yet, despite such innovative and unparalleled efforts, ACYF has not consistently supported Black groups, and for this legislation, it did not choose to find an appropriate Black group to conduct a single program.

Knowledge and familiarity of the Black community can make an inestimable impact on a program's ability to help Black children. When adequate resources have been provided, groups such as Homes for Black Children in Detroit have demonstrated striking successes in parent recruitment and placement. In its first five years, Homes for Black Children placed over 500 Black children into adoptive homes, while in 1978, our Houston affiliate, the Adopt Black Children Committee, was able to place 20 Black children, 25% of Houston's Black adoptions, with only one part-time staffer. For these programs, their previous experience and familiarity with the Black community substantially assisted their efforts in Black outreach, recruitment, and training. We therefore believe that the success of programs in the Act intended for Black children might very well hinge upon

an organization's ability to understand and address the unique problems facing Black foster children. Such knowledge cannot be acquired quickly; indeed, it is especially difficult, if not impossible, to fully appreciate Black culture and society without considerable experience in the Black community. While prior exposure to systems similar to these projects would certainly enhance an organization's ability to conduct these programs, we do not believe that knowledge of a technical system or process can replace familiarity with a subject as sensitive as Black children. Had ACYF funded a Black organization, such experience would no longer be an important issue.

Admittedly, ACYF did face certain limitations on its potential awards that made it somewhat more difficult to fund minority organizations. The legislation itself prohibited any profit-making organization from receiving awards, thus excluding minority 8-A firms, just as it suggested that the recruitment materials program should be implemented by an adoptive parents organization when only one such group exists. Whatever the reason for these limitations, however, ACYF should have reacted by placing greater emphasis on recruiting Black participation for the remaining programs, not by using them as an excuse for their own omissions.

For those awards open for competition, ACYF contends that it received only two proposals and found each unacceptable. It apparently made no effort to solicit proposals from other Black groups, nor did it try to help any Black group prepare and submit a satisfactory proposal. If ACYF sincerely desired minority input into the Program, it certainly could have either written such a requirement into at least one of its RFP's, or it could have proposed a new program that would include those portions intended for Black children. By not selecting any of these options, however, ACYF has indicated a definite reluctance towards funding Black groups that might have offered innovative approaches to the Program.

ACYF has indicated that adequate safeguards exist to ensure the protection of minority concerns. In particular, both the establishment of advisory boards

with mandatory minority representation and the requirement that portions of two programs should be devoted to Black needs are cited as strong precautions against any possible abuses. While the mere existence of such safeguards constitutes an indirect admission that the awards need some strengthening, the measures themselves are also quite inadequate as potential safeguards.

The advisory panels, in particular, present serious problems. First, three projects will not have advisory committees to supervise their activities. Two of them, the national information system and the recruitment materials program, will be especially vital to successful placement efforts for Black foster children. Secondly, the degree of Black representation in existing committees is not sufficient to ensure the protection of minority interests. In the panels for regional adoption centers, for instance, Blacks will comprise only 14% of their panel membership, while other minorities will comprise only 15%. Such meager representation stems from ACYF's directive that Steering Committees should be "broadly representative of the social, cultural, ethnic, and economic groups in the Regions," without requiring that the composition of the panels should in any way represent the foster care population. Apparently, ACYF believes that advisory panels need not reflect the disproportionate number of Black children in foster care to protect the interests of those children. Other panels are similarly disappointing, as their collective minority membership will only be 38%, with Blacks averaging 19% of the total. Blacks never comprise more than 25% of any single panel, and as a whole, minorities constitute half the members of only two panels. Considering these figures, it is unlikely that the advisory committees will represent Black and other minority concerns when their very composition has not been structured to allow a dominant minority voice. As the principal safeguard for Black interests, then, the advisory committees are simply inadequate and misleading.

The composition of the advisory panels is not, however, the only weakness in ACYF's plans. Blacks and other minorities have often been given token positions on advisory panels to compensate for their failure to win awards, yet despite this representation, their actual input into program decision-making has traditionally been minimal. In these programs, the advisory panels will again, in ACYF's words, only "review", "recommend", and "provide consultation" to the actual programs. No advisory panel can substitute for actual program management so long as its role is strictly advisory. No advisory panel can constitute a viable assurance that the programs will assist the neediest of our foster children as intended by the legislation. Ultimately, these panels will only serve to perpetuate the myth that since Blacks lack the experience to conduct programs themselves, they are therefore better suited to membership on advisory boards.

ACYF has also required that specific components of the training curriculum and the Public Service Announcements programs should be directed towards the Black community. While we appreciate the specifications, two important questions arise. First, why has ACYF stipulated that portions of two programs should concentrate on Black problems when the parent recruitment materials program, potentially a great boon for the Black community, has no similar requirement? Such inconsistency only implies that ACYF's distinctions are somewhat arbitrary and more token than they are serious. Secondly, why would ACYF even fund white organizations to conduct these programs when logic dictates that it procure a Black group to implement those projects specifically designated for the Black community? While these precautions will certainly ensure that services are provided to Blacks, they do not guarantee that they will incorporate Black input into their framework.

Finally, while I cannot discuss the Model Adoption Legislation in detail now, I would like to express our deep concern that the "open records" controversy may

overwhelm the other provisions that will greatly assist hard-to-place Black children. Rather than see the entire Model Act sacrificed over this debate, we would prefer that the sections referring to the investigative rights of adopted children and their birth parents be deleted from the legislation.

It is impossible to firmly predict to what extent the programs in the Adoption Opportunities Act will actually help Black children as intended by the legislation. Possibly, the organizations will seek enough advice from Black experts to construct genuinely effective programs. Given our past experiences, however, when the failure to fund groups representative of their target populations is compounded by the absence of credible protective measures, Black children inevitably suffer. Until the government begins to offer steady and consistent support to new minority groups that lack impressive track records, I fear that conditions for minority children in foster care may not appreciably change for the better. Thank you.